



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67009

TAKENOUCHI, KAZUYA, et al.

Appln. No.: 10/035,251

Group Art Unit: 1616

Confirmation No.: 4355

Examiner: Sabiha Naim Oazi

Filed: January 4, 2002

For: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY
RESPIRATORY DISEASE USING SAME

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby
notify the U.S. Patent and Trademark Office of the documents which are listed on the attached
PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem
material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the
corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed after either a Final Office
Action, Notice of Allowance, or an action that otherwise closes prosecution in the application
(whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting
herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under

05/12/2003 NMOMAHM1 00000073 194880 10035251

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The PTO did not receive the following
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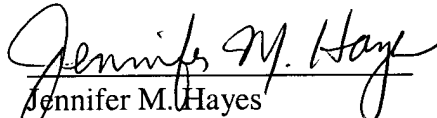
INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.:

37 C.F.R. § 1.97(e). The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,


Jennifer M. Hayes
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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: May 9, 2003



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

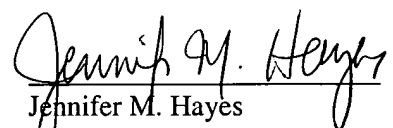
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed
concurrently herewith was first cited in any communication from a foreign patent office in a counterpart
foreign application not more than three months prior to the filing of said Information Disclosure
Statement.

Respectfully submitted,


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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: May 9, 2003

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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of

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Complete if Known

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|------------------------|--------------------|
| Application Number | 10/035,251 |
| Confirmation Number | 4355 |
| Filing Date | January 4, 2002 |
| First Named Inventor | TAKENOUCHI, KAZUYA |
| Art Unit | 1616 |
| Examiner Name | Sabiha Naim Oazi |
| Attorney Docket Number | Q67009 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|-----------------------|--------------------------|-----------------|--------------------------------------|--------------------------------|---|
| | | Number | Kind Code ² (if known) | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
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OTHER ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
|-----------------------|--------------------------|--|--------------------------|
| | | EPO Communication | |
| | | Abstract, XP 002226140, JP 10/087,495, 04/07/98 | |
| | | Abstract, XP 002226141, JP 08/092,098, 04/09/96 | |
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Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.